

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

99 DEC -9 PM 3: 17

U.S. DISTRICT COURT
N.D. OF ALABAMA

UNITED STATES OF AMERICA,

Plaintiff,

 γ

DANA P. BEARDEN a/k/a

DANA PAUL BEARDEN

BUDDY A. BEARDEN a/k/a

BUDDY ALTON BEARDEN

Defendants.

) CIVIL ACTION NO. 99-J-2801-M

ENTERED
DEC 9 1999

FINDINGS AND CONCLUSIONS

This cause coming on to be heard on the written motion of Plaintiff, supported by affidavit, for Judgment by Default in favor of Plaintiff and against Defendants, Dana Bearden and Buddy Bearden pursuant to Rule 55, Federal Rules of Civil Procedure, the Court makes the following findings and conclusions:

1. The Summons and Complaint were served upon Defendants, Dana Bearden and Buddy Bearden on October 27, 1999, Defendants have failed to appear, plead, or otherwise defend.

2. Defendants, Dana Bearden and Buddy Bearden are not infant's or incompetent persons, nor have Defendants been in the military service of the United States since the filing of this suit or for a period of six months prior to such filing.

8

3. Defendants, Dana Bearden and Buddy Bearden are indebted to Plaintiff in the principal sum of \$64,775.52, costs of \$295.34, court costs of \$150.00 pursuant to 28 U.S.C. § 2412(a) (2), interest of \$3,292.39 through December 2, 1999, at the rate of 4 percent per annum until date of judgment, plus interest from the date of judgment at the prevailing legal rate per annum.

4. Plaintiff is due to recover from Defendants, Dana Bearden and Buddy Bearden the total sum of \$69,150.25, plus interest from December 2, 1999, until date of judgment at the rate of 4 percent per annum and interest thereafter at the prevailing legal rate per annum until paid in full. A judgment will enter accordingly.

Done this the 9 day of December, 1999.


UNITED STATES DISTRICT JUDGE